

DEC-02-03 TUE 03:32 PM

FAX NO.

P. 03
RECEIVED
CENTRAL FAX CENTER

DEC 02 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

IN RE APPLICATION OF:

Dull et al.)	
Serial No: 09/845,526)	Art Unit: 1624
Filed: April 30, 2001)	Examiner: V. Balasubramanian
For: PHARMACEUTICAL)	Docket No.: T103 1401.1
COMPOSITIONS AND)	
METHODS FOR USE)	

NOTICE OF APPEAL

Box AF
Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board from the Examiner's decision mailed on July 2, 2003. An Amendment and a Petition for a Two Month Extension of Time, to and including December 2, 2003, is also enclosed. This Notice of Appeal is being filed in an abundance of caution, concurrently with an Amendment (the content of which was discussed with the Examiner in a telephonic interview held on December 1, 2003) that is believed to obviate all outstanding rejections. Applicants believe a Notice of Allowance will follow entry of the Amendment, in which case the need for Appeal will be obviated.

Please charge Deposit Account No. 09-0528 for the Notice of Appeal Fee of \$330.00. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 09-0528.

Respectfully submitted,

David S. Bradin
David S. Bradin
Reg. No. 37,783
Attorney for Applicant

Date: December 2, 2003
Telephone: (919) 484-2382

Womble Carlyle Sandridge & Rice, PLLC
P.O. Box 7037
Atlanta, Georgia 30357-0037

RTP 76547v1

1